

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MaryAnn Grogan,

Case No. _____

Plaintiff,

vs.

State Farm Mutual Automobile
Insurance Company,

**NOTICE OF REMOVAL
(Jury Trial Demanded)**

Defendant.

Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendant State Farm Mutual Automobile Insurance Company ("State Farm") hereby gives notice of removal of this action from the Tenth Judicial District Court for Washington County, State of Minnesota, to this Court. As grounds for removal, State Farm hereby states and alleges as follows:

1. State Farm is a defendant in a civil action styled as *MaryAnn Grogan v. State Farm Mutual Automobile Insurance Company*, Tenth Judicial District, County of Washington, State of Minnesota.

2. A true and correct copy of Plaintiff's Summons and Complaint dated August 23, 2018 and correspondence is attached as **Exhibit A**. State Farm received the Summons and Complaint on or about August 27, 2018.

3. It is State Farm's understanding that as of the date of this filing, Plaintiff has not filed the Summons and Complaint with the state court.

4. State Farm's Notice of Removal is timely under 28 U.S.C. § 1446(b), which allows a defendant to remove a case to federal district court within thirty (30) days after receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based.

5. Plaintiff is an individual resident and citizen of Minnesota. State Farm is an Illinois corporation with its principal place of business in the state of Illinois.

6. 28 U.S.C. § 1332 vests this Court with original jurisdiction over this civil action because there is complete diversity between all parties.

7. Pursuant to 28 U.S.C. § 1441(a), venue for this action is proper in this Court as the events giving rise to the allegations contained in the Complaint occurred within this district court of the United States.

8. Plaintiff alleges, among other things, that she sustained severe and permanent injuries and "has in the past and will in the future incur medical expenses for treatment of her injuries; has in the past and will in the future incur a loss of earnings and earning capacity; has in the past and will in the future suffer physical and mental pain" and seeks a judgment against State Farm "in a sum in excess of fifty thousand (\$50,000.00) dollars together with pre-judgment interest, judgment interest, costs and disbursements."

9. Further, Plaintiff alleges that she has demanded and is entitled to payment of "uninsured motorist coverage limits of Two Hundred Fifty Thousand

(\$250,000.00) Dollars.” Therefore, the amount in controversy exceeds \$75,000.00.

10. Written Notice of the filing of this Notice of Removal, together with a copy of the Notice of Removal and supporting papers, is being served on Plaintiff’s counsel contemporaneous with this filing and will be filed with the Clerk of the Tenth Judicial District, County of Washington, State of Minnesota pursuant to 28 U.S.C. § 1446(d).

11. All procedural requirements for removal under 28 U.S.C. §§ 1441 and 1446 have been satisfied and thus, pursuant to 28 U.S.C. § 1332, this case is hereby removed to this Court.

WHEREFORE, State Farm prays that this action be removed to this Court, that this Court accept jurisdiction of this action and henceforth that this action be placed on the docket of this Court for further proceedings as though this action had originally been instituted in this Court.

HKM, P.A.

Dated: September 12, 2018

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